



General Assembly

February Session, 2012

***Raised Bill No. 323***

LCO No. 1395

\*01395\_\_\_\_\_PS\_\*

Referred to Committee on Public Safety and Security

Introduced by:  
(PS)

***AN ACT CONCERNING CRANE OPERATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-221 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 As used in this chapter and sections 2 and 9 of this act: (1) "Board"  
4 means the Examining Board for Crane Operators established under  
5 section 29-222, as amended by this act; (2) "commissioner" means the  
6 Commissioner of Construction Services; (3) "crane" means [(A) a tower  
7 crane used in construction, demolition or excavation work, (B) a  
8 hydraulic crane, (C) a power-operated derrick, or (D) a mobile crane  
9 which is a mobile, carrier-mounted, power-operated hoisting machine  
10 utilizing a power-operated boom which moves laterally by rotation of  
11 the machine on the carrier and which has a manufacturers' maximum  
12 rated capacity exceeding five tons] power-operated equipment that can  
13 hoist, lower and horizontally move a suspended load and which has a  
14 manufacturers' maximum rated hoisting or lifting capacity exceeding  
15 two thousand pounds, including, but not limited to: (A) Articulating  
16 cranes such as knuckle-boom cranes, (B) crawler cranes, (C) floating

17 cranes, (D) cranes on barges, (E) locomotive cranes, (F) mobile cranes  
 18 such as wheel-mounted, rough terrain, all-terrain, commercial truck-  
 19 mounted and boom truck cranes, (G) multi-purpose machines when  
 20 configured to hoist and lower, by means of a winch or hook, and  
 21 horizontally move a suspended load, (H) industrial cranes such as  
 22 carry-deck cranes, (I) dedicated pile drivers when used in construction,  
 23 demolition or excavation work, (J) service or mechanic trucks with a  
 24 hoisting device, (K) a crane on a monorail, (L) tower cranes such as  
 25 fixed jib hammerhead boom, luffing boom and self-erecting, (M)  
 26 pedestal cranes, (N) portal cranes, (O) overhead and gantry cranes, (P)  
 27 straddle cranes, (Q) side boom cranes, (R) derricks, and (S) variations  
 28 of such equipment; (4) "hoisting equipment", other than cranes, means  
 29 motorized equipment (A) used in construction, demolition or  
 30 excavation work, (B) at a construction site for a project, other than a  
 31 project involving residential structures of less than four stories, the  
 32 estimated cost of which is more than one million two hundred fifty  
 33 thousand dollars, and (C) which has a manufacturer's rated hoisting or  
 34 lifting capacity exceeding five tons and a manufacturer's rated  
 35 maximum reach in excess of thirty-two feet; (5) "department" means  
 36 the Department of Construction Services; and (6) "apprentice" means  
 37 [anyone registered with the board for the purpose of learning crane  
 38 operation or hoisting equipment operation] any person who is not  
 39 licensed under this chapter and whose employer has registered him or  
 40 her with the board to learn crane operations or hoisting equipment  
 41 operations under the direct supervision of a licensed operator in  
 42 accordance with section 9 of this act.

43     Sec. 2. (NEW) (*Effective October 1, 2012*) (a) Notwithstanding  
 44 subdivisions (3) and (4) of section 29-221 of the general statutes, as  
 45 amended by this act, the following items are excluded from the scope  
 46 of chapter 539 of the general statutes: (1) Automotive wreckers and  
 47 tow trucks when used to clear wrecks and haul vehicles, (2) digger  
 48 derricks when used for augering holes for poles carrying electric and  
 49 telecommunication lines, placing and removing the poles and handling  
 50 associated materials to be installed on or removed from the poles, (3)

51 machinery originally designed as vehicle-mounted aerial devices for  
52 lifting personnel and self-propelled elevating work platforms, (4)  
53 telescopic or hydraulic gantry systems, (5) stacker cranes, (6) powered  
54 industrial forklifts, except when configured to hoist and lower, by  
55 means of a winch or hook, and horizontally move a suspended load,  
56 (7) mechanic's truck with a hoisting device when used in activities  
57 related to equipment maintenance and repair, (8) machinery that hoists  
58 by using a come-a-long or chain fall, (9) gin poles when used for the  
59 erection of communication towers, (10) anchor handling or dredge-  
60 related operations with a vessel or barge using an affixed A-frame, (11)  
61 roustabouts, and (12) helicopter cranes.

62 (b) Articulating or knuckle-boom truck cranes that deliver material  
63 to a construction site are excluded from the scope of chapter 539 of the  
64 general statutes when used to (1) transfer materials from the truck  
65 crane to the ground without arranging the materials in a particular  
66 sequence for hoisting, or (2) transfer building supply sheet goods or  
67 building supply packaged materials including, but not limited to,  
68 sheets of sheetrock, sheets of plywood, bags of cement, sheets or  
69 packages of roofing shingles and rolls of roofing felt from the truck  
70 crane onto a structure, using a fork or cradle at the end of the boom,  
71 but only when the truck crane is equipped with a properly functioning  
72 automatic overload prevention device.

73 (c) The exclusion set forth in subsection (b) of this section does not  
74 apply when (1) the articulating or knuckle-boom crane is used to hold,  
75 support or stabilize the material to facilitate a construction activity,  
76 such as holding material in place while it is attached to the structure,  
77 (2) the material being handled by the articulating or knuckle-boom  
78 crane is a prefabricated component including, but not limited to,  
79 precast concrete members or panels, roof trusses, prefabricated  
80 building sections such as floor panels, wall panels, roof panels, roof  
81 structures or similar items, (3) the material being handled by the crane  
82 is a structural steel member such as joists, beams, columns and steel  
83 decking or a component of a systems-engineered metal building, or (4)

84 the activity is not otherwise excluded under subsection (b) of this  
85 section.

86 Sec. 3. Section 29-222 of the general statutes is repealed and the  
87 following is substituted in lieu thereof (*Effective October 1, 2012*):

88 There shall be in the Department of Construction Services an  
89 Examining Board for Crane Operators consisting of five members who  
90 shall be residents of this state. Members shall be appointed by the  
91 Governor subject to the provisions of section 4-9a. One member shall  
92 be an employee of the department, one member shall be a crane  
93 operator having at least ten years of experience, one member shall  
94 represent the interests of crane owners and two members shall be  
95 public members. Members shall not be compensated for their services  
96 but shall be reimbursed for necessary expenses in the performance of  
97 their duties. A quorum of the board for the purpose of transacting  
98 business shall exist only when there is present, in person, a majority of  
99 its membership. Any member absent from (1) three consecutive  
100 meetings of the board, or (2) fifty per cent of such meetings during any  
101 calendar year shall be deemed to have resigned from the board.

102 Sec. 4. Section 29-223 of the general statutes is repealed and the  
103 following is substituted in lieu thereof (*Effective October 1, 2012*):

104 (a) The board shall keep a record of its proceedings and a roster of  
105 persons licensed or registered by it. The commissioner shall, with the  
106 advice and assistance of the board, adopt regulations, in accordance  
107 with chapter 54, for crane operators and hoisting equipment operators,  
108 specifying qualifications for applicants for licensure, requirements for  
109 examinations, procedures for issuance and renewal of licenses and  
110 certificates of registration and examination and application fees  
111 sufficient to meet the costs of administration of this chapter. The board  
112 shall administer and establish passing grades for licensure  
113 examinations. The board shall hold examinations at times and  
114 locations determined by the board and shall give written notice to  
115 applicants for examination of the time and place of examinations.

116 [Examinations may be written or practical or both.] An applicant for a  
 117 license shall be required to take both a written and practical  
 118 examination.

119 (b) The written examination shall determine whether the applicant  
 120 (1) knows the information necessary for the safe operation of the  
 121 specific type of crane or hoisting equipment that the applicant will  
 122 operate including (A) the controls and operational or performance  
 123 characteristics, (B) use of, and the ability to calculate, manually or with  
 124 a calculator, load or capacity information on a variety of configurations  
 125 of the equipment, (C) procedures for preventing and responding to  
 126 power line contact, (D) technical knowledge applicable to the specific  
 127 type of equipment the individual will operate concerning (i) site  
 128 information, (ii) operations, and (iii) load information, and (E)  
 129 technical knowledge applicable to site suitability, site hazards and site  
 130 access, and (2) is able to read and locate relevant information in the  
 131 equipment manual and other materials containing information  
 132 referred to in subdivision (1) of this subsection.

133 (c) The practical examination shall determine whether the applicant  
 134 has the skills necessary for safe operation of the crane or hoisting  
 135 equipment including (1) the ability to recognize, from visual and  
 136 auditory observation, all items required in a shift inspection, (2)  
 137 operational and maneuvering skills, (3) application of load chart  
 138 information, and (4) application of safe shutdown and securing  
 139 procedures.

140 (d) Any license, or renewal thereof, issued pursuant to this section  
 141 shall be valid for a period of two years from the date of issuance. Every  
 142 four years the licensee shall take and pass, prior to the issuance of a  
 143 license renewal, an examination developed by the board that is  
 144 designed to ensure that the licensee continues to meet the technical  
 145 knowledge and skills requirements set forth in subsections (b) and (c)  
 146 of this section.

147 [(b)] (e) The board shall adopt regulations, in accordance with the

148 provisions of chapter 54, establishing a safety code for the operation  
149 and maintenance of cranes and hoisting equipment.

150 Sec. 5. Section 29-223a of the general statutes is repealed and the  
151 following is substituted in lieu thereof (*Effective October 1, 2012*):

152 (a) No person shall engage in, practice or offer to perform the work  
153 of a hoisting equipment operator, except as provided in subsection (b)  
154 [or (c)] of this section, who is not the holder of a valid crane operator's  
155 license or hoisting equipment operator's license issued by the board.  
156 Each licensed hoisting equipment operator shall carry his or her license  
157 on his or her person when operating hoisting equipment. No person  
158 may engage in, practice or perform the work of a hoisting equipment  
159 operator apprentice unless he or she has obtained a certificate of  
160 registration from the board. An apprentice's certificate may be issued  
161 for the performance of work of a hoisting equipment operator for the  
162 purpose of training, [which] provided such work may be performed  
163 only under the direct supervision of a licensed hoisting equipment  
164 operator and is in compliance with the provisions of section 9 of this  
165 act.

166 (b) The provisions of this section shall not apply to: (1) [Any person  
167 engaged in the occupation of hoisting equipment operator in the state  
168 on October 1, 2003, provided such person shall be required to obtain a  
169 license not later than one year of October 1, 2004, (2) engineers]  
170 Engineers under the jurisdiction of the United States, [(3)] (2) engineers  
171 or operators employed by public utilities or industrial manufacturing  
172 plants, [(4)] (3) any person operating either a bucket truck or a digger  
173 derrick designed and used for an electrical generation, electrical  
174 transmission, electrical distribution, electrical catenary or electrical  
175 signalization project, if such person: (A) Holds a valid limited electrical  
176 line contractor or journeyman's license issued pursuant to chapter 393  
177 or any regulation adopted pursuant to said chapter, or (B) has engaged  
178 in the installation of electrical line work for more than one thousand  
179 hours, or (C) has enrolled in or has graduated from a federally

180 recognized electrical apprenticeship program, [or (5)] (4) persons  
 181 engaged in boating, fishing, agriculture or arboriculture, or (5) persons  
 182 engaged in activities, or using equipment, excluded under section 2 of  
 183 this act.

184 [(c) On or after October 1, 2003, but not later than October 1, 2005,  
 185 the board shall issue a license for a hoisting equipment operator to any  
 186 person who provides a notarized statement from the person's  
 187 employer indicating the dates and duties of employment operating  
 188 such equipment or proof of ownership and control of a company  
 189 utilizing such equipment.]

190 Sec. 6. Section 29-224 of the general statutes is repealed and the  
 191 following is substituted in lieu thereof (*Effective October 1, 2012*):

192 (a) No person shall engage in, practice or offer to perform the work  
 193 of a crane operator, except as provided in subsection (b) of this section,  
 194 who is not the holder of a valid license issued by the board. Each  
 195 licensed crane operator shall carry his or her license on his or her  
 196 person when operating a crane. No person may engage in, practice or  
 197 perform the work of a crane operator apprentice unless he or she has  
 198 obtained a certificate of registration from the board. An apprentice's  
 199 certificate may be issued for the performance of work of a crane  
 200 operator for the purpose of training, [which] provided such work may  
 201 be performed only under the direct supervision of a licensed crane  
 202 operator and is in compliance with the provisions of section 9 of this  
 203 act. No crane owner may operate or permit the operation of any of his  
 204 or her cranes in this state unless he or she has obtained a certificate of  
 205 registration from the board. Nothing in this subsection shall be  
 206 construed to require a hoisting equipment owner to obtain a certificate  
 207 of registration from the board.

208 (b) The provisions of subsection (a) of this section shall not apply to:  
 209 (1) [Any person engaged in the occupation of crane operator in the  
 210 state on October 1, 1981, provided such person shall be required to  
 211 obtain a license within one year of October 1, 1981, (2) engineers]

212 Engineers under the jurisdiction of the United States, [(3)] (2) engineers  
 213 or operators employed by public utilities or industrial manufacturing  
 214 plants, [(4)] (3) any person operating either a bucket truck or a digger  
 215 derrick designed and used for an electrical generation, electrical  
 216 transmission, electrical distribution, electrical catenary or electrical  
 217 signalization project, if such person: (A) Holds a valid limited electrical  
 218 line contractor or journeyman's license issued pursuant to chapter 393  
 219 or any regulation adopted pursuant to said chapter, or (B) has engaged  
 220 in the installation of electrical line work for more than one thousand  
 221 hours, or (C) has enrolled in or has graduated from a federally  
 222 recognized electrical apprenticeship program, [or (5)] (4) persons  
 223 engaged in boating, fishing, agriculture or arboriculture, or (5) persons  
 224 engaged in activities, or using equipment, excluded under section 2 of  
 225 this act.

226 Sec. 7. Section 29-224a of the general statutes is repealed and the  
 227 following is substituted in lieu thereof (*Effective October 1, 2012*):

228 Each crane or hoisting equipment owner or operator shall  
 229 immediately report any accident involving a crane or hoisting  
 230 equipment he or she owns or operates to the board. Upon receipt of  
 231 any such report, the board may cause a full investigation and  
 232 inspection of such crane or hoisting equipment to determine the cause  
 233 of the accident and may take any action it deems appropriate if, after  
 234 notice and opportunity for hearing, it determines that a violation of  
 235 any provision of this chapter or any regulations adopted thereunder  
 236 exists.

237 Sec. 8. Section 29-224b of the general statutes is repealed and the  
 238 following is substituted in lieu thereof (*Effective October 1, 2012*):

239 The commissioner or any employee of the Department of  
 240 Construction Services, while engaged in the performance of his or her  
 241 duties, may enter at all reasonable hours into and upon any premises  
 242 in or on which a crane or hoisting equipment is located for the purpose  
 243 of carrying out the provisions of this chapter and the regulations

244 adopted thereunder.

245       Sec. 9. (NEW) (*Effective October 1, 2012*) (a) An apprentice is  
246 permitted to operate a crane or hoisting equipment only where the  
247 requirements of this section are met.

248       (b) The employer shall provide each apprentice with sufficient  
249 training prior to operating the equipment to enable the apprentice to  
250 operate the equipment safely under the limitations established by this  
251 section, including continuous monitoring, and any additional  
252 limitations established by the employer.

253       (c) The tasks performed by the apprentice while operating the  
254 equipment must be within the apprentice's ability.

255       (d) While operating the equipment, the apprentice must be  
256 continuously monitored by an individual who: (1) Is employed by, or  
257 is an agent of, the apprentice's employer, (2) holds a valid crane  
258 operator's or hoisting equipment license issued under chapter 539 of  
259 the general statutes, (3) while monitoring the apprentice, performs no  
260 tasks that detract from such individual's ability to monitor the  
261 apprentice, (4) for equipment other than tower cranes, is in direct line  
262 of sight of the apprentice and communicates orally or by hand signals  
263 with the apprentice, and (5) for tower cranes, is in direct  
264 communication with the apprentice.

265       (e) The individual monitoring the apprentice may take short breaks  
266 provided (1) the break lasts no more than fifteen minutes and there is  
267 no more than one break per hour, (2) prior to the break, the individual  
268 informs the apprentice of the specific tasks the apprentice is to perform  
269 and limitations to which the apprentice must adhere, and (3) the  
270 specific tasks are within the apprentice's abilities.

271       (f) An apprentice shall not operate equipment in any of the  
272 following circumstances: (1) If any part of the equipment, load line or  
273 load, including rigging and lifting accessories, is operated up to the

274 equipment's maximum working radius, could get within twenty feet of  
 275 a power line that is three hundred fifty kilovolts or less or within fifty  
 276 feet of a power line that is over three hundred fifty kilovolts, (2) if the  
 277 equipment is used to hoist personnel, (3) in multiple equipment lifts,  
 278 (4) if the equipment is used over a shaft or cofferdam or in a tank farm,  
 279 and (5) in multiple-lift rigging operations, except where the individual  
 280 monitoring the apprentice determines that the apprentice's skills are  
 281 sufficient.

282 Sec. 10. Section 29-225 of the general statutes is repealed and the  
 283 following is substituted in lieu thereof (*Effective October 1, 2012*):

284 (a) The board may suspend or revoke a crane operator's license, a  
 285 hoisting equipment operator's license or an apprentice's certificate  
 286 after notice and hearing upon a finding that the holder has  
 287 demonstrated incompetence or has been guilty of negligence in the  
 288 performance of his or her work.

289 (b) The board may suspend or revoke a crane owner's registration  
 290 after notice and hearing upon a finding that the holder has failed to  
 291 properly maintain his or her crane or has permitted the operation of  
 292 his or her crane in an unsafe manner.

293 (c) The board may impose a civil penalty of not more than [one]  
 294 three thousand dollars on any crane or hoisting equipment owner or  
 295 operator who violates any provision of this chapter or any regulations  
 296 adopted thereunder.

297 (d) The board shall not renew a license or registration of any crane  
 298 or hoisting equipment owner or operator who has an unpaid civil  
 299 penalty until such time as such penalty is paid in full.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	29-221
Sec. 2	<i>October 1, 2012</i>	New section

Sec. 3	<i>October 1, 2012</i>	29-222
Sec. 4	<i>October 1, 2012</i>	29-223
Sec. 5	<i>October 1, 2012</i>	29-223a
Sec. 6	<i>October 1, 2012</i>	29-224
Sec. 7	<i>October 1, 2012</i>	29-224a
Sec. 8	<i>October 1, 2012</i>	29-224b
Sec. 9	<i>October 1, 2012</i>	New section
Sec. 10	<i>October 1, 2012</i>	29-225

***Statement of Purpose:***

To revise license and certification requirements for crane and hoisting equipment operators.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*